A DIALOGUE Concerning the TIMES.

Between *Philobelgus* and *Sophronius.*

Phil. HOw is it *Sophronius*, how goes the World now?

Sophr. Go? I believe not ſo well as was generally expected.

Phil. Come, you are ſo full of your Hypocondriacal Fancies? Prythee why don't you take a little Phyſick this Spring?

Sophr. Look you! I am probably as Sanguinly inclined as your ſelf, but my preſent Circumſtances are a great check upon my Complexion; and I think it an unnatural impoſition to require a Man to make himſelf merry with his own Misfortunes.

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Phil. Your Grievances.

Sophr. To ſpeak comprehenſively they are the Dutch, and their Attendants, *viz.* Taxes, Loſſes, and ſtop in Trade: I'm ſure my Eſtate ſuffered conſiderably by all Three of them the laſt Year, and you know my caſe was not ſingular: And truly at the rate that Honour and Conſcience go now a days, for ought I ſee, a little Money is the only Thing one can truſt to: Now when a Man looſes his beſt Friend thus unhappily, I hope you will give him leave to pay a decent reſpect to his Memory, and put his Humour a little into Mourning.

Phil. Pray give over your Philoſophical Cant; don't you know we have a new Parliament ready to ſit; there you will have a Cure for all your Maladies.

Sophr. I know there will be a publick

Meeting at *Weſtminſter*; but I'm afraid the Effects of it will not be ſo powerfully kind as you ſeem to expect.

Phil. Ne're queſtion it! The greateſt part of theſe Members are known to be Church of *England* Men, and well affected to Kingly Government; ſo that the Monarchy and the Proteſtant Religion will be effectually ſecured by them: For the Church of *England* Side being ſo conſiderable a Majority both for Numbers, Quality, and Intereſt, whatever is Legiſlatively done by that Party, muſt by conſequence be received with the moſt general Satisfaction: This Expedient will ſilence our Political Diſputes, and lay our Animoſittes aſleep. And when we are once thus happily united, you may without flattery promiſe your ſelf, that *Ireland* will be reduced in a ſhort time.

Sophr. No doubt of it and *France* too: But pray what Meaſures do you think will be taken by theſe *Weſtminſter* Lords and Gentlemen, in order to the performing theſe extraordinary Things?

Phil. Though I don't love to pronounce upon the Actions of ſo conſiderable a Body, yet ſince you ask me that Queſtion, I'le venture to tell you it's my Opinion, They will confirm the Proceedings of the late Convention and Parliament.

Sophr. That may be; but methinks you give an untoward reaſon for your Opinion: For why ſhould Men of the Church of *England* Perſwaſion confirm the Proceedings of Republicans and Presbyterians, for ſuch you grant had the Aſcendant over the Houſes the laſt Year?

Phil. Upon Emergency of State we muſt bend our Principle a little; when the Neceſſity is once over we can return Streight at leiſure.

Sophr. Well! I find it's a great happineſs to have a Conſcience with a Muſcular Motion, that can ſtretch and contract as occaſion ſerves. But what makes you talk about mending the Acts of the late Aſſembly at *Weſtminſter*, Are the new Laws out of Repair already?

Phil. To deal franckly, I'm afraid they were never well put together; for the Writs by vertue of which the Convention met, were neither ſent by the King, nor directed to the Sheriffs, both which ought to have been done according to the ſtated Forms of our Conſtitution.

Now though I am not willing to be of the Opinion of a late Authour, that theſe Omiſſions are *ſuch Eſſential Nullities as no ſubſequent Ratification can remedy*, (Reflect upon Parl. Pacif. p. 1.) yet I think they ought to be ſupplied by a regularly convened Authority.

Sophr. Now you are upon Omiſſions, give me leave to mention another: You may remember the Convention neglected to take the Oaths of Allegiance and Supremacy. Now this ſome People will interpret in an unfortunate Sence. Becauſe there are Two Statutes which ſay expreſsly, That every Thing which the Lords and Commons, do before they have taken the ſaid Oaths is *Null* and *Void*. 7 *Jac.* 1. 30 *Car.* 2.

Phil. Don't trouble your ſelf, here will be ſwearing enough this bout.

Sophr. In good time! But ſtill I am ſorry to hear the late Acts at *Weſtminſter* wants confirming.

Phil. Why ſo?

Sophr. Becauſe if they want confirming, (eſpecially upon ſuch material Accounts;) they are imperfect, and conſequently properly ſpeaking no Laws at all. For Law, like moral Good, depends *Ex-*

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integra Causa; if any due Circumstance be wanting it looses its Nature, and never rises into any Authority.

Phil. If they are not entirely perfect, they come very little short, and ought to be regarded accordingly.

Sophr. Under favour you are out, they are certainly either compleat, or null: For we must observe that an Act of Parliament is not like Cloth and Ribbans, valuable in Nails and Remnants; there is no such Thing as half, or three quarters Law; either it must hold out to the end of the Measure, or it's good for nothing. Now do you think your Arguments, which prove the Defects, and consequently the Nullity of the late *Westminster* Proceedings, has not brought us into a fine Condition? What has the *Habeas Corpus* Act been shackled, New Oaths framed, the Clergy Suspended and Deprived, the Peoples Pockets drained, a Court Martial set up, *&c.* and all without Law? For it seems the late *Ordinances* have no sufficient Authority till they receive it from the next Meeting. Has not Liberty and Property been admirably secured all this while? Why were not those Members as you call them Dissolved, as soon as their *Head* was Chosen, to make room for a legal Assembly if it could be had; for to what purpose should they sit, when they were under an incapacity of doing any Parliamentary Act? This I mention to let you understand what an odd Opinion the People will be apt to have of the *Westminster-Transactions*, and by consequence of the whole Revolution, if you pretend to mend, and strengthen the Authority upon which they stand.

Phil. I conceive you; but after all I must add that how singular soever a Confirmation may look, its an Expedient absolutely necessary: For besides some other Defects in point of Form, the King's *Writs* and their omitting to take the Oaths of Allegiance and Supremacy aboye mentioned, are such invincible Objections that there is no getting over them.

Sophr. As you say the Objections press very hard; but are you sure they will be removed by the *Confirmation* you expect from the ensuing *Meeting*

Phil. Yes, what should hinder their removal? Are not the Royal Writs Issued out according to the Formalities of the Law? And as for the Oaths you need not fear the Members will forget to take them.

Sophr. Right! but Oaths are sometimes so unfortunate as to prove their point no more than Wagers. For the purpose, suppose for Arguments sake a Man is about to swear himself into some post of power or advantage, and Confined to a particular Object well enough known, if he would but take day light along with him; but the Man for Reasons best understood by himself, chuses to swear in the dark, and and so stumbles upon a wrong person. I desire to know what his Oath signifies in such a Case?

Phil. Not much to his Business: but I'm afraid your Instance has no kind Application in it. To come out of the Clouds therefore, I would gladly understand what Objection can be fairly made againſt the Authority of the ensuing Parliament.

Sophr. Excuse me there, I am not willing to meddle with that point! But if you have a mind to put a feign'd Case, and lay the Scene in *Utopia*, I don't care if I discourse with you upon a resembling Argument only to support Conversation a little.

Phil. Pray let us hear what a Talent you have at Romancing.

Sophr. Well then to take Sir *Tho. Moore's* Liberty, let us ſuppoſe the *Utopians* under an Hereditary Monarchy, and that as long as the Royal Line continues, the People have no more right to chooſe their King than their God; ſuppoſe that the Laws of that Kingdom expreſly declare it *Unlawful to take up Arms againſt the King upon any pretence whatever*; and that bare *Poſſeſſion* againſt *Right*, has no countenance from the *Utopian* Conſtitution. Suppoſe a Monarch thus invincibly fortified by Law, Oppoſed by one part of his Subjects, and Deſerted by moſt part of the reſt, ſo that he is obliged to retire out of his Kingdom for the ſecurity of his Perſon and Honour. Upon this ſome part of the People, who were either inſtrumental in the Change, or wanted leiſure to recollect themſelves, or courage to ſtand by the Laws; put themſelves under the Protection of a Foreign Prince, who had lately made a Deſcent upon the Kingdom without premiſing any Complaint by his Ambaſſadour, or demanding Satisfaction in a publick way. This Prince at the inſtance of ſome obnoctious and engaged Perſons, aſſembles a Select, and in ſome places a preconcerted number of the People; which the *Utopians* call a *Convention*. This meeting having neither the Eſſence, nor ſo much as the form of Law, tells the Nation (though by a very ſlender Majority) that the King had *Reſigned* the *Government*; though beſides other demonſtrative proofs, they had his Letters on the Table to convince them on the contray. Theſe Men as the *Utopian* Hiſtory informs us, notwithſtanding they had no Right to diſpoſe of ſixpenny worth of Property, made no difficulty to deſeiſe their King of his Crown and Dignity; to the maintenance and ſupport of which they are obliged to ſwear before they can enter upon any part of the Legeſlative Authority. After this remarkable beginning they proceed to chooſe the aforeſaid Forreign Prince their King, though every body knows *Utopia* is no Elective Monarchy. This Prince of their own making, and who by Conſequence could have no Authority but what they gave him; yet to make them ſome return for their kindneſs, gives them a Power vaſtly greater than they pretended to before, and ſublimates them into a Parliament (which ſignifies the ſame Thing in *Utopia*, it does with us.) This Meeting after ſome Tryal, he diſſolved probably among other Reaſons, becauſe he ſaw the People were not generally ſatisfied about the Legality of its Conſtitution. Since, they ſay, he has ſummoned a New one, in which the uſual Preliminaries will be punctually obſerved; and yet ſome People fancy all this won't do neither.

Phil. Why ſo?

Sophr. Becauſe the Convention, which is the Foundation upon which the late *Utopian* Revolution ſtands, had no Authority to tranſact publick buſineſs, and therefore their Proceedings though much more moderate might juſtly have been excepted againſt.

Phil. Your Reaſon.

Sophr. Becauſe they Convened themſelves by vertue of a Foreign Authority without the Kings Summons; neglected to make thoſe ſolemn Tenders of Duty and Allegieuce to their Sovereign which the Law requires, and wanted the Royal Aſſent to give life to their Votes. Now if the Convention was an Unlawful Aſſembly, the whole Foundation is Sapped, and then all the Superſtructure muſt tumble into Rubbiſh.

Phil. Though I can't ſay I am pleaſed

with your Entertainment, yet pray go on, and be as clear as you can; for ſince we are diſcourſing about a Subject which is Viſionary and Romantick, we may ſpeak as intelligibly as we pleaſe.

Sophr. I ſay then if the *Convention* was a private unauthorized Meeting, if they had no Power to ſet aſide their Old, and make another King; then their New Governour can have no Right to to the Regal Stile and Authority. *Nihil dat quod non habet*: A man cannot receive that from another, which he has no power to give. Nothing but a *Nullity* can proceed from a *Nullity*, for no effect can riſe above the Virtue and Efficacy of its Cauſe. Such eſſential Defects in the Principles of Government are like Errours in the firſt Concoction, never to be rectified: And therefore the aſſuming the uſual Forms, and appearing in the ſhape of the Old Conſtitution, is to ſpeak ſoftly, but Pageantry and Varniſh, at the beſt.

Phil. I am told that about the year 1660, in the Reign of Don *Carlo's*, there was a Parliament made out of a Convention, which was ſoon after diſſolved, and another convened according to Law: In which the Acts of the former were confirmed. Which confirmation paſſing upon them they were always looked upon as unqueſtionable Law; though I grant you they would have been null and unauthoritative without it. And pray has not a Parliament as much Authority now, as it had Thirty years ſince.

Sophr. No doubt on't. But you miſtake the point horribly; the caſe is by no means the ſame.

Phil. Where lies the difference?

Sophr. I wonder you don't perceive it! Pray was Don *Carlo's* a Conventionary King. Did he derive his Power from the Election of the People? on the contrary was not his Title and Authority wholy founded upon Hereditary Right according to the known Laws of the Monarchy? I confeſs if his Father had been then living, or he had broke in upon the Succeſſion your precedent would have held, but now it's nothing to the purpoſe.

Phil. Make it clearer if you can.

Sophr. Clearer ſtill! why don't you know there can be no Parliament in *Utopia* without a King; for there, *Rex eſt caput, principium, & finis Parliamenti*; as a great Lawyer has it.

Phil. And have not the Utopians made themſelves a new King, what would you have more?

Sophr. I perceive you have forgotten what we have diſcourſed already concerning the incompetent Authority upon which their preſent Eſtabliſhment is founded, and that they have nothing but Air for their Baſis; however I ſhall only refreſh your memory with Two Queſtions, your Anſwer to which will I ſuppoſe give you full ſatisfaction. Pray can a Prince forfeit when the Laws expreſsly declare him irreſiſtable, and that his People have no Authority to call him to an account.

Phil. No.

Sophr. Then if he was once King, he muſt continue ſo as long as he lives, except he is pleaſed to Reſign.

Phil. I don't ſee Princes are very willing to do that; but your other Queſtion.

Sophr. The next thing I ask you is whether it be not a contradiction in Terms to chooſe a King in an Hereditary Monarchy?

Phil. I am ſorry I am obliged to Anſwer yes; but the reaſon is ſo plain that there is no help for it.

Sophr. Very well! I ſuppoſe by this time you are ſufficiently convinced that this next Utopian Parliament as you call it is no more then a ſecond Edition of the Convention; and appears with all the great *Errata* of the *firſt Impreſſion.*

Phil. You have an unlucky hand at telling a Story; for though we have made a long Voyage, and cut the Line for Converſation; yet methinks the caſe of the Utopians is ſo like our own that I cannot help being uneaſy at the Reſemblance.

Sophr. You ſeem to have a tender Senſe of things; which I hope is no ill prognoſtick.

Phil. Since you ſay ſo much, I muſt freely own to you, that in my Opinion the late turn of Affairs was very indefenſible, and I would not for the World have been engaged: But ſince it's brought about without my aſſiſtance, I think my ſelf obliged to ſtand by it, and not go murmuring about, and unhinge the publick Settlement.

Sophr. How well we are, or are like to be *Settled*, upon our new Bottom, is pretty apparent: but granting the preſent Eſtabliſhment was never ſo firm and agreeable, yet let me tell you that the abetting an obnoxious Intereſt, and uniting in un-maintainable Deſigns, is no better than a Confederacy of ——, it's an open Defiance of Juſtice and Honour; and the Settlement of thoſe *Quos dicere nolo.* I perceive you are ſo good natured as not to throw a man out of his Houſe; but if he is once diſpoſſeſſed, though by never ſo remarkable a violence, none more forward then your ſelf to Garriſon it againſt him; and if he offers to return at his peril be it. You are a little ſqueamiſh about beginning an ill thing, but an admirable ſecond: for rather then right ſhould take place, and oppreſſion be obliged to refund, you are bravely reſolved to venture your all. I deſire to know whether ſucceſs can change the nature of good and evil; or right is founded upon wrong? if not, what a monſtrous inconſiſtency is to practiſe that which we condemn, and maintain that which we abhor? will you engage your Advice, your Perſon, and your Intereſt, for the ſupport of violence? and imbark Body and Soul in a Cauſe which you own to be unaccountable? *This is to be a partaker of other Mens Sins* with a witneſs.

Phil. I grant the Cauſe was unaccountable at firſt but——

Sophr. At firſt! Then it is ſo ſtill: For undoubtedly that which it's unjuſt to get, it's unjuſt to keep; unleſs Impenitency be a Vertue, and freſh Injuries a ſufficient Satisfaction for old ones.

In the Name of Reaſon conſider the weight of the Caſe, the ſingularity of the Guilt, and the extent of the Miſchief, and then keep your old Opinion if you can.

Phil. I confeſs if I thought the former Government could recover without bringing Popery along with it, I could hearken to what you ſay.

Sophr. Pray can you be made a Papiſt againſt your Will?

Phil. No. Religion of what denomination ſoever ſuppoſes choiſe and conviction of Judgment.

Sophr. Good! Then you may ſecure one, and every Body elſe by God's Grace may do as much: So that in fine there is no fear of looſing our Church, unleſs we betray it.

Phil. But though our Proteſtant Faith cannot be wreſted from us, yet are we not like to ſuffer for adhering to it?

Sophr.

Sophr. I'm afraid rather for not adhering to it. God grant our Practiſe may be as regular, as our Profeſſion will be undiſturbed: Of all Nations we are moſt unlikely to have Experiments made upon us; you remember how Paſſive Obedience went in Eighty eight. But I am not at leiſure to argue this point any further with you; if you are unſatisfied you may conſult a late Book, called *Vindiciæ Juris Regii*, which I am told will cure you of your Fears, if you are not over-grown with Spleen, and Prejudice. However at preſent granting (which I don't believe) that your Apprehenſions were reaſonably founded, What are we the better? Would you have us keep out Popery right or wrong, or is nothing wrong which tends to ſo Sanctified an End?

Phil. Truly, I think, Religion ought to be our principal Care, and ſecured by all Means.

Sophr. That is by all good Means and ill Means: Does St. *Paul* tell us that we may do Evil that Good come on't. Pray, what Church is that which we uſed to charge with ſuch Doctrin as this, with Depoſing Kings, and making Holy Wars to ſuppreſs Misbelievers? Which is ſo rank a Principle, that not many of the Jeſuits themſelves will own it.

Phil. When you have ſaid all, I'm afraid the *Beaſt* in the *Revelations* ſhould prevail, except we make a vigorous Oppoſition.

Sophr. How can that be, when we have ſo much modern Prophecy againſt him? But ſetting aſide this miſtical Divinity, give me leave to ask you a Queſtion. Suppoſe you owed a Roman Catholick a Sum of Money, could you find in your Conſcience to pay him, or would you cheat him for the Proteſtant Religion?

Phil. Cheat him no, God forbid!

Sophr. Very well! And for the ſame reaſon if you own him Allegiance ought you not to pay it? you know the Title of the Kings of *England* depends only upon Birth-right, and Lineal Deſcent: ſo that let their Creed be what it will, their Authority is the ſame: And therefore the obedience of the Subject ought to be proportionable. Nay when we have a Prince of a different Perſwaſion, we ſhould rather oblige our ſelves to a greater exactneſs of our Behaviour upon this account, to prevent all ſuſpicion of Diſaffection, and to preſerve the Honour of our Religion.

For the Love of God, therefore *Philobelgus*, let us hear no more of this horrible Cant. Let us not give the World an occaſion to belive that Proteſtancy teaches us to break our Faith; and to be guilty of thoſe Crimes, which modeſt Heathens would bluſh at. Let us not defend the beſt of Churches, with the worſt of Practiſes. Nor damn one Age to ſecure the next. To uſe ſuch Expedients as theſe, is the way to ruin that which we would Support; and to make our Communion Nauſcious and Contemptible; for there is no Man of Natural Probity, none that is Generouſly Inclined, but will ſcorn a Religion which obliges him to be a Knave.

Phil. You know our Religion does not give this ſcandalous Liberty.

Sophr. True: but if it be taken, how then?

Phil. You grow warm: But for my part I hope all will be well, becauſe as I obſerved to you, the Parliament conſiſts moſtly of Church-of *England*-men.

Sophr.

Sophr. I wish they may show themselves truly such. I'm sure their Quality, the Principles they avow, and the State and posture of Affairs, may justly raise the expectation of the Nation: so that a disappointment now, would be much more unaccountable then formerly. For a Man to mistake his way in a Tempest, and to be over-born with Tumult, and general Distraction; though it's very unfortunate has something of excuse in it. But to pursue the same steps upon thought and deliberation; when we have Light and Demonstration to guide us. To choose confusion for our Model; to persist in so remarkable an error, when the mortal consequence stares us in the Face, must mightily enflame the guilt, and make the blemish indelible. 'Tis in the Power of these Lords and Gentlemen you speak of to make a noble Stand: to revive the Interest, and retreive the Honour of their Country and Religion: God grant them Resolution to act up to the Opportunity.

Phil. Hold! I have enough; and that you may not suspect your Discourse is thrown away; I give you my word, I will consider what you have said.

Sophr. Very well! if all People would do so impartially, it's easy to guess the effect: but I'm afraid it's the way of too many to hearken only to one side; or to think upon neither. *Adieu.*

FINIS.